

## **REMARKS**

This is in response to the Office Action dated November 16, 2006. Claims 14 to 26 are presented for examination, of which claims 14 and 21 are independent. Applicant respectfully submits that the claims as previously filed are in condition for allowance and respectfully requests reconsideration and further examination in view of the following remarks.

### **I. Non-Statutory Obviousness-Type Double Patenting.**

Claims 14 to 26 have been provisionally rejected for nonstatutory obviousness-type double-patenting over claims 16 to 20 of copending application No. 10,773,105 (the '105 application) in view of Applicant's own allegedly admitted prior art. This rejection is respectfully traversed.

The Office Action contends that claims 16 to 20 of the '105 application "discloses a coupling including a non-threaded end made of steel showing all aspects of the above claims except the use of a counterweight or internal gas passage or the specifically recited bore shape" and further contends that Applicant's allegedly admitted prior art discloses the counterweight and internal gas passage. However, Applicant reiterates that claims 16 to 20 of the '105 application, either alone or in combination with any of the allegedly admitted prior art, fail to disclose all the features of claims 14 to 26 in the present application. For example, claims 16 to 20 of the '105 application fail to recite a "bore having an end distal the opening and an end proximal the opening, wherein the distal end is tapered and is not threaded" as is recited in independent claims 14 and 21 of the present application.

The Office Action acknowledges that the feature of a "bore having an end distal the opening and an end proximal the opening, wherein distal end is tapered and not threaded" is not taught by the '105 application, but contends the feature would be obvious to one of ordinary skill in the art, despite failing to show any other reference in which such a feature is taught or suggested. Applicant respectfully submits that all claim limitations are significant, and must be given weight and effect. Application of Saether, 492 F.2d 849 at 852 (C.C.P.A. 1974). If even a single claim limitation is not taught or suggested by a reference, then it cannot be obvious over that reference. Application of Glass, 472 F.2d 1388, 1392 (C.C.P.A. 1973). The Examiner has not cited any reference teaching the feature of a "bore having an end distal the opening and an

end proximal the opening, wherein distal end is tapered and not threaded” and therefore has not established a *prima facie* case of obviousness. Among other things, the tapered, unthreaded distal end of the bore assists in easy assembly and disassembly, and the tapered ends help to prevent gas leakage. *See* Application at Page 5, ¶17.

Accordingly, applicant respectfully requests reconsideration and withdrawal of the non-statutory obvious-type double-patenting rejection of claims 16-20.

## **II. Rejections Under 35 U.S.C. §103.**

It is noted that the Examiner has withdrawn the previous rejections under 35 U.S.C. § 102 in the “Response to Arguments” section of the Office action. However, Applicant respectfully points out that several of the current rejections under 35 U.S.C §103(a), previously made under 35 U.S.C. §102(b), still list §102(b) as the grounds for the rejection. Applicant proceeds with the understanding that these are typographical errors, that the current rejections are based on 35 U.S.C. §103 (a), and respectfully requests confirmation of such from the Examiner.

Claims 14, 17, 19, 21, 22 and 26 stand rejected under 35 U.S.C. § 103(a) as being anticipated by U.S. patent No. 6,358,467 (*Mordue*). Claims 14, 17 and 19 stand rejected under 35 U.S.C. § 103(a) as being anticipated by U.S. patent No. 5,154,652 (*Ecklesdafer*). Claims 14-17 and 19 stand rejected under 35 U.S.C. § 103(a) as being anticipated by U.S. patent No. 3,258,283 (*Winberg et al.*). Claims 14, 17 and 19 stand rejected under 35 U.S.C. § 103(a) as being anticipated by either U.S. patent Nos. 2,423,655 (*Mars et al.*) or 1,377,101 (*Sparling*). Claims 14, 17, 19, 21, 22 and 26 stand rejected under 35 U.S.C. § 103(a) as being anticipated by U.S. patent No. 6,451,247 (*Mordue et al.*). Claims 14, 17, 19, 21, 22 and 26 stand rejected under 35 U.S.C. § 103(a) as being anticipated by U.S. patent No. 6,303,074 (*Cooper*). Claims 15, 16, 18, 20, 23, 24 and 25 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over either U.S. patent No. 6,451,247 (*Mordue et al.*) or 6,303,074 (*Cooper*). At least for the reasons discussed below, applicant respectfully submits that none of the cited references, individually or in combination, teach or suggest each and every feature of independent claims 14 and 21.

In each of the rejections above, the Office Action acknowledges that none of the cited references recite a “bore having an end distal the opening and an end proximal the opening, wherein the distal end is tapered and is not threaded” as is recited in independent claims 14 and

21 of the present application. As discussed previously, all claim limitations are significant and must be given weight and effect. Moreover, if even a single claim limitation is not taught or suggested by a reference, then it cannot be obvious over that reference. In this case, none of the cited references, individually or in combination, teach or suggest the feature of a “bore having an end distal the opening and an end proximal the opening, wherein the distal end is tapered and is not threaded” and therefore do not establish a *prima facie* case for obviousness. Among other things, the tapered, unthreaded distal end of the bore assists in easy assembly and disassembly, and the tapered ends help to prevent gas leakage. See Application at Page 5, ¶17.

For example, Mordue ‘467 teaches that “the mouth 54 of the coupling member engages and seals against the tapered eat 18 of the shaft.” Col. 6, lines 51-54. As such, Mordue ‘467 teaches the use of a tapered shaft, and not a coupling member with a bore that is tapered at the distal end.

With regard to Mordue ‘247, the Office Action cites to coupling 21 in Figures 1 and 2. However, as can be seen in the Figures, coupling 21 does not have a bore that is tapered at the distal end, but rather the outer wall of the coupling is tapered. Likewise, the couplings shown by Cooper ‘074, Mars et al., Sparling, and Ecklesdafer ‘652 also do not have a bore that is tapered at the distal end, but rather the outer wall of the coupling is tapered.

With regard to Winsberg, the Office Action contends that feature 32 of box collar C is tapered and reads on the claim. However, Winsberg does not teach that feature 32 is tapered, but rather explicitly recites that “the generally squared off terminal 32 of the box 18...” As such, no feature of Winsberg is seen to be a coupling with a bore that is tapered at the distal end.

As such, in view of the foregoing remarks, independent claims 14 and 21 are believed to be allowable over the cited art. The remaining claims in the application are each dependent from one of claims 14 or 21 and are also believe to be allowable.

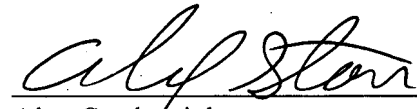
### CONCLUSION

In view of the foregoing, applicant respectfully submits that the application is in condition for allowance. The Examiner is invited to telephone the undersigned at the telephone number listed below if it would in any way advance prosecution of this case.

Applicant hereby petitions for any extension of time which may be required to maintain the pendency of this case, and any required fee, except for the Issue Fee, for such extension is to be charged to Deposit Account No. 19-3878.

Respectfully submitted,

Date: 5/16/07

  
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Alex Starkovich  
Reg. No. 56,925

SQUIRE, SANDERS & DEMPSEY L.L.P.  
Two Renaissance Square  
40 North Central Avenue, Suite 2700  
Phoenix, Arizona 85004-4498  
(602) 528-4124